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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/918,095	07/30/2001	Tae-Sung Jung	678-719 (P9916)	2613
7590 11/16/2005			EXAMINER	
Paul J. Farrell, Esq. DILWORTH & BARRESE, LLP 333 Earle Ovington Blvd. Uniondale, NY 11553			PHAN, TRI H	
			ART UNIT	PAPER NUMBER
			2661	

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/918,095

Applicant(s)

JUNG, TAE-SUNG

Examiner

Tri H. Phan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-7 and 9-11 is/are allowed.
- 6) ☐ Claim(s) 8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment/Arguments

1. This Office Action is in response to the Response/Amendment filed on July 21st, 2005.
Claims 1-11 are now pending in the application.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claim 8 is rejected under 35 U.S.C. 102(e) as being anticipated by **Leung et al.** (U.S.6,466,964; hereinafter refer as '**Leung**').

- In regard to claim 8, **Leung** discloses "*a method for exchanging data packets between a mobile node and a foreign agent while maintaining security therebetween, in a communication system including the mobile node having a unique mobile IP address, the foreign agent*

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wirelessly connected to the mobile node, the foreign agent having a unique IP address, a home agent capable of performing bi-directional wire communication with the foreign agent, the home agent having mapped information of the mobile IP address of the mobile node and the IP address of the foreign agent, and a correspondent node capable of performing bi-directional wire communication with the home agent (figure 1 as described in col. 1, line 57 through col. 2, line 47), the method comprising the steps of: decapsulating in the foreign agent a data packet received from the correspondent node and transmitting the decapsulated data packet to the mobile node, when the correspondent node transmits a data packet encapsulated with a tunneling IP header for forward tunneling to the foreign agent using the IP address of the foreign agent (col. 2, lines 24-47); and upon receipt of a packet data for communication with the correspondent node from the mobile node through a radio channel, encapsulating in the foreign agent the received data packet with a tunneling IP header for reverse tunneling, and transmitting the encapsulated data packet to the correspondent node (col. 11, lines 24-27 where here it is indicated that the foreign agent uses reverse tunneling, where tunneling makes use of encapsulation as described in col. 2, lines 24-47)."

Response to Amendment/Arguments

5. Applicant's arguments filed on July 21st, 2005 have been fully considered but they are not persuasive.

Applicant argues that **Leung** fails to disclose the "*forward tunneling*" to the foreign agent from the corresponding node. Examiner respectfully disagrees. **Leung** discloses about the system and method for providing mobility for a mobile node, when roaming within the foreign network;

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wherein the foreign agent strips the encapsulating message sent from the corresponding node through the home agent for tunneling, e.g. *“forward tunneling”*, with the foreign agent IP address as care-of address, and forwards the message to the mobile node as disclosed in col. 2, lines 24-47 (*“decapsulating in the foreign agent a data packet received from the correspondent node and transmitting the decapsulated data packet to the mobile node, when the correspondent node transmits a data packet encapsulated with a tunneling IP header for forward tunneling to the foreign agent using the IP address of the foreign agent”*); and reverse tunneled to the home agent, e.g. *“reverse tunneling”*, from the foreign agent via the use of visitor table as disclosed in col. 11, lines 24-27; where the tunneling makes use of encapsulation as described in col. 2, lines 24-47 (*“encapsulating in the foreign agent the received data packet with a tunneling IP header for reverse tunneling, and transmitting the encapsulated data packet to the correspondent node”*). Therefore, Examiner concludes that **Leung** teaches the arguable features.

Allowable Subject Matter

6. Claims 1-7 are allowed with allowable subject matter disclosed in previous Office action.
Claim 9 is allowed with the same reason as disclosed in the allowed claims 1-7.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Xu et al. (U.S.6,738,362), **Peirce et al.** (U.S.6,560,217), **Khalil et al.** (U.S.6,574,214),
Montenegro, G. (“Reverse Tunneling for Mobile IP”, Sun Microsystems, Inc. May 1998,

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Network Working Group, Request for Comments: 2344, pages 1-19) and **Perkins Charles E.** ("Mobile IP", Sun Microsystems, IEEE Communications Magazine, 0163-6804, May 1997, pages 84-99) are all cited to show devices and methods for improving routing and tunneling in the Mobile IP telecommunication architectures, which are considered pertinent to the claimed invention.

8. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tri H. Phan, whose telephone number is (571) 272-3074. The examiner can normally be reached on M-F (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau T. Nguyen can be reached on (571) 272-3126.

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Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(571) 273-8300

Hand-delivered responses should be brought to Randolph Building, 401 Dulany Street, Alexandria, VA 22314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office, whose telephone number is (571) 272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tri H. Phan
November 10, 2005



BRIAN NGUYEN
PRIMARY EXAMINER